

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:14-cv-00028-MR  
[CRIMINAL CASE NO. 1:97-cr-00310-MR-3]

LEWIS DEAN GIBSON,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

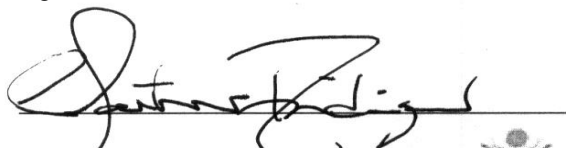
**THIS MATTER** is before the Court on Petitioner's "Motion for Reconsideration/Motion to Alter or Amend Judgment" [Doc. 6].

Petitioner's motion for reconsideration was filed simultaneously with a notice of appeal to the Fourth Circuit Court of Appeals [See Doc. 5]. The filing of a notice of appeal divests this Court of jurisdiction and confers jurisdiction on the Court of Appeals. See United States v. Christy, 3 F.3d 765, 767-68 (4<sup>th</sup> Cir. 1993).

Accordingly, **IT IS, THEREFORE, ORDERED** that Petitioner's "Motion for Reconsideration/Motion to Alter or Amend Judgment" [Doc. 6] is **DENIED** for lack of jurisdiction.

**IT IS SO ORDERED.**

Signed: June 2, 2014

  
Martin Reidinger  
United States District Judge

